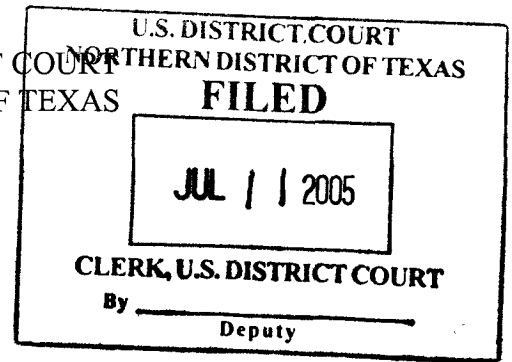


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



UNITED STATES OF AMERICA

§
§
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§
§

v.

2:00-CR-0059 (01)

HANK JAY TURPIN

**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION, AND
DENYING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Came this day for consideration the motion to vacate, set aside or correct sentence by a person in federal custody filed by defendant HANK JAY TURPIN. On June 1, 2005, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant motion be denied. On June 17, 2005, defendant filed untimely objections to the Report and Recommendation.¹


Having made an independent examination of the record in this case and having examined the Report and Recommendation of the Magistrate Judge, the undersigned United States District Judge hereby OVERRULES defendant's objections, and ADOPTS the Magistrate Judge's Report and Recommendation. Accordingly, the motion to vacate, set aside or correct sentence filed by

¹Unsigned objections were submitted and filed of record on June 15, 2005. Those unsigned objections were then unfiled as deficient. On June 17, 2005, defendant TURPIN filed a signed set of objections. On June 22, 2005, the United States Magistrate Judge ordered defendant to provide an explanation why his objections should be considered timely. Defendant submitted a response to the Court's order explaining that the unsigned June 15, 2005 objections were sent to the Court by a person assisting TURPIN in an attempt to "stop the clock." Although it appears a request for an enlargement of time would have been a more prudent method of handling the situation, the Court has considered defendant's objections herein.

defendant HANK JAY TURPIN is, in all things, DENIED.

IT IS SO ORDERED.

ENTERED this 8th day of July 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE